



Federal Communications Commission
Washington, D.C. 20554

July 2, 2014

DA 14-961

Ms. Linda Carducci
Gannett Co., Inc.
7950 Jones Branch Drive
McLean, VA 22107
lcarducc@gannett.com

Call Sign: E860443
File No.: SES-MOD-20140604-00396

Dear Ms. Carducci:

On June 4, 2014, WKYC-TV, Inc. (WKYC-TV) filed the above-captioned application to modify its existing license by replacing an existing antenna and changing the emission designator of an existing signal carrier. Pursuant to Section 25.112(a) of the Commission's rules, 47 C.F.R. § 25.112(a)(1), we dismiss the application as defective without prejudice to refiling.¹

Section 25.112(a) of the Commission's rules requires the Commission to return, as unacceptable for filing, any application that is not substantially complete, that contains internal inconsistencies, or that does not substantially comply with the Commission's rules². For the reasons set forth below, we find the application of WKYC-TV unacceptable for filing.

- WKYC-TV did not submit a radiation hazard study for the new antenna unit AVL Technologies, model 1410K-11, proposed in the modification application, as required by the underlined text included in question 28 of Form 312 and Section 1.1307(b) of the Commission's rules, 47 C.F.R. § 1.1307(b).
- WKYC-TV's response to question 26 of Form 312, Type of Earth Station Facility, was transmit/receive; however, WKYC-TV did not provide the receive frequency band in item E43/44 of FCC Form 312 - Schedule B.
- WKYC-TV did not provide the Antenna gain of Transmit/Receive information in item E41/42 of FCC Form 312 - Schedule B.

¹ If WKYC-TV refiles an application in which the deficiencies identified in this letter have been corrected but otherwise identical to the one dismissed, it need not pay an application fee. *See* 47 C.F.R. § 1.1111(d).

² 47 C.F.R. § 25.112(a)

- WKYC-TV did not provide the minimum antenna elevation angle as 5 degrees in items E57 and E59 of FCC Form 312 - Schedule B and pursuant to 47 C.F.R. § 25.205(a).

Accordingly, pursuant to Section 25.112(a)(1) of the Commission's rules, 47 C.F.R. § 25.112(a)(2), and Section 0.261 of the Commission's rules on delegations of authority, 47 C.F.R. § 0.261, we dismiss the application of WKYC-TV, Inc. without prejudice to refiling.

Sincerely,

Paul E. Blais
Chief, Systems Analysis Branch
International Bureau
Satellite Division